



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Hermann Bujard et al.

Serial No.: 09/281,674

Filed: March 30, 1999

For: *METHODS FOR REGULATING GENE  
EXPRESSION*

Attorney Docket No.: BBI-013C3CN2RCE

Group Art Unit: 1632

Examiner: R. Shukla

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Commissioner for Patents  
Washington, D.C. 20231

**CERTIFICATION UNDER 37 CFR 1.10**

Date of Deposit: February 21, 2003

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I hereby certify that this 37 CFR 1.53(d) request and the documents referred to therein as enclosed are being deposited with the United States Postal Service on the date indicated above in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and addressed to Box RCE, Commissioner for Patents, Washington, D.C. 20231.

Vincent G Cardoso  
Name of Person Mailing Paper

Vincent G Cardoso  
Signature of Person Mailing Paper

**PRELIMINARY AMENDMENT AND RESPONSE**

Dear Sir:

In response to the Final Office Action mailed May 21, 2002 (Paper No. 18), on October 21, 2002, Applicants filed a Notice of Appeal. Applicants are thus filing today a Request for Continued Examination, a separate petition for the appropriate extension of time, and this Preliminary Amendment and Response. Responsive to the Final Office Action, please amend the above-identified patent application as follows: